

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

No. 1336

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**Introduced by Assembly Member Salas**

February 27, 2015

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An act to amend Section ~~38571~~ 39713 of the Health and Safety Code, relating to greenhouse gases.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1336, as amended, Salas. California Global Warming Solutions Act of 2006: ~~methodologies; disadvantaged communities.~~

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. ~~The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020. The act requires the state board to adopt methodologies for the quantification of voluntary greenhouse gas emission reductions. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law requires the California Environmental Protection Agency to identify disadvantaged communities and requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Existing law requires~~

*a minimum of 25% of the available moneys in the fund to be allocated to projects that provide benefits to disadvantaged communities.*

~~This bill would make a technical, nonsubstantive change to that provision.~~

*This bill instead would require a minimum of 40% of the available moneys in the fund to be allocated to projects that provide benefits to disadvantaged communities.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 39713 of the Health and Safety Code is  
2     amended to read:

3     39713. (a) The investment plan developed and submitted to  
4     the Legislature, pursuant to Section 39716, shall allocate a  
5     minimum of ~~25~~ 40 percent of the available moneys in the fund to  
6     projects that provide benefits to communities described in Section  
7     39711.

8     (b) The investment plan shall allocate a minimum of 10 percent  
9     of the available moneys in the fund to projects located within  
10    communities described in Section 39711.

11    (c) The allocation pursuant to subdivision (b) may be, but need  
12    not be, for projects included, in whole or in part, in the set of  
13    projects supported by the allocation described in subdivision (a).

14    SECTION 1. ~~Section 38571 of the Health and Safety Code is~~  
15    ~~amended to read:~~

16    ~~38571. The state board shall adopt methodologies for the~~  
17    ~~quantification of voluntary greenhouse gas emission reductions.~~  
18    ~~The state board shall adopt regulations to verify and enforce any~~  
19    ~~voluntary greenhouse gas emission reductions that are authorized~~  
20    ~~by the state board to be used to comply with greenhouse gas~~  
21    ~~emission limits established by the state board. The adoption of~~  
22    ~~methodologies is exempt from the rulemaking provisions of the~~  
23    ~~Administrative Procedure Act (Chapter 3.5 (commencing with~~  
24    ~~Section 11340) of Part 1 of Division 3 of Title 2 of the Government~~  
25    ~~Code).~~